CLERK'S OFFICE U.S. DIST. COURT AT ROANOKE, VA OCT 2 6 2005

IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA ROANOKE DIVISION

JOSEPH BOWLER, Plaintiff,) Civil Action No. 7:05-cv-00652
v.)) <u>DISMISSAL ORDER</u>
BLANKENSHIP, <u>et al.,</u> Defendants.) By: Hon. James C. Turk Senior United States District Judge)

In accordance with the memorandum opinion entered this day, it is hereby

ADJUDGED AND ORDERED

that plaintiff's complaint are hereby FILED for administrative purposes only as a civil rights complaint, pursuant to 42 U.S.C. §1983; for reasons stated in the court's memorandum opinion in Civil Action No. 7:05-cv-00648, plaintiff's motion for in forma pauperis status shall be and hereby is **DENIED**, pursuant to 28 U.S.C. §1915(g); and the action is hereby **DISMISSED** without prejudice and is hereby stricken from the active docket of the court.

The Clerk is directed to send certified copies of this order and the accompanying memorandum opinion to plaintiff.

ENTER: This 26 day of October, 2005.

enior United States District Judge